



IN THE  
UNITED STATES  
PATENT AND TRADEMARK  
OFFICE

<b>PATENT &amp; TRADEMARK OFFICE</b>  <b>IN THE</b> <b>UNITED STATES</b> <b>PATENT AND TRADEMARK</b> <b>OFFICE</b>	<i>Application Number</i>	09/434,382
	<i>Filing Date</i>	5 November 1999
	<i>First Named Inventor</i>	Sean V. TAVTIGIAN
	<i>Group Art Unit</i>	1642
	<i>Examiner Name</i>	J. Hunt
	<i>Attorney Docket Number</i>	2318-247

*Title of the Invention:* CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE

REQUEST FOR CORRECTION OF INVENTORSHIP *RECEIVED*

Assistant Commissioner for Patents  
Washington, D.C. 20231

*FEB 27 2002*

*TECH CENTER 1600/2900*

Sir:

Pursuant to the provisions of 37 C.F.R. §1.48(a), Applicants hereby request correction of inventorship in the subject application. Specifically, Applicants request the Commissioner to add LISA A. CANNON ALBRIGHT and SUSAN L. NEUHAUSEN as co-inventors with the already-named inventors of record, Sean V. Tavtigian, David H.-F. Teng, Jacques Simard and Johanna M. Rommens.

In support of this request, and in accordance with the requirements of 37 C.F.R. §1.48(a), Applicants concurrently submit the following:

- four *Declaration and Power of Attorney* documents in compliance with 37 C.F.R. §1.63 signed by all of the inventors;
- a *Statement under 37 C.F.R. §1.48(a)*, signed by the inventors to be added;
- a *Consent of Assignee to Correct Inventorship*, signed by an official of Myriad Genetics, Inc., the assignee of the entire interest of co-inventors Tavtigian, Teng and Simard in the subject application;
- a *Statement under 37 C.F.R. §3.73(b)*, by assignee Myriad Genetics, Inc.;
- a *Consent of Assignee to Correct Inventorship*, signed by an official of The Hospital for Sick Children, the assignee of the entire interest of co-inventor Rommens in the subject application;
- a *Statement under 37 C.F.R. §3.73(b)*, by assignee The Hospital for Sick Children;

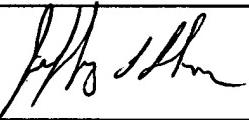
02/26/2002 MWOLDER1 00000028 09434382

01 FC:122

130.00 OP

- a *Consent of Assignee to Correct Inventorship*, by an authorized signatory of University of Utah Research Foundation, the assignee of the entire interest of Albright and Neuhausen in the subject application;
- a *Statement Pursuant to 37 C.F.R. §3.73(b)*, by an authorized signatory of assignee University of Utah Research Foundation; and
- a check for the requisite \$130.00 fee.

If any additional payment is required, or any discrepancies in fees are noted, please charge or credit the cost thereof to Deposit Account No. 02-2135. An extra copy of this Request is attached for that purpose.

RESPECTFULLY SUBMITTED,					
Name and Reg. Number	Jeffrey L. Ihnen, Registration No. 28,957				
Signature				Date	20 February 2002
Address	Rothwell, Figg, Ernst & Manbeck, P.C. 555 Thirteenth Street, N.W., Suite 701, East Tower				
City	Washington	State	D.C.	Zip Code	20004
Country	U.S.A.	Telephone	(202) 783-6040	Fax	(202) 783-6031

RECEIVED

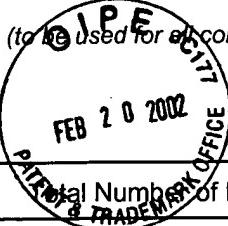
1642

FEB 27 2002

Complete if Known

TECH CENTER 1600/2900

## TRANSMITTAL FORM



Application Number	09/434,382 ✓
Filing Date	5 November 1999
First Named Inventor	Sean V. TAVTIGIAN
Examiner Name	1642
Group Art Unit	J. Hunt
Total Number of Pages in This Submission <u>32</u>	Attorney Docket Number <u>2318-247</u>

## ENCLOSURES (check all that apply)

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Assignment Papers  | <input type="checkbox"/> After Allowance Communication to Group                 |
| <input checked="" type="checkbox"/> Fee Attached                             | <input type="checkbox"/> Drawing(s)   | <input checked="" type="checkbox"/> REQUEST FOR CORRECTION OF INVENTORSHIP      |
| <input type="checkbox"/> Amendment/Reply                                     | <input type="checkbox"/> Licensing-related Papers                                       | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | (1) four (4) Declaration and Power of Attorney documents;                       |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert to a Provisional Application               | (2) Statement Under 37 CFR 1.48(a) by inventors to be added;                    |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | (3) Consent of Assignee to Correct Inventorship (Myriad);                       |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer  | (4) Statement under 37 CFR 3.73(b) (Myriad);                                    |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund   | (5) Consent of Assignee to Correct Inventorship (HSC);                          |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s)  | (6) Statement Under 37 CFR 3.73(b) (HSC);                                       |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   | (7) Consent of Assignee to Correct Inventorship (UURF); and                     |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   | (8) Statement Under 37 CFR 3.73(b) (UURF).                                      |

## REMARKS:

SUBMITTED BY		Complete (if applicable)		
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957			
SIGNATURE		DATE	20 FEBRUARY 2002	DEPOSIT ACCT USER ID 02-2135

		Complete if Known	
FEE TRANSMITTAL for FY 2001 (Small Entity)		Application Number	09/434,382
		Filing Date	5 November 1999
		First Named Inventor	Sean V. TAVTIGIAN
		Examiner Name	1642
		Group Art Unit	J. Hunt
Total Amount of Payment	(\$130.00)	Attorney Docket Number	2318247
		<b>RECEIVED</b>	

**METHOD OF PAYMENT** (check one)

- The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- Applicant claims small entity status.
- Payment Enclosed:
  - Check
  - Credit Card

**FEES CALCULATION**

**1. FILING FEE**

Fee	Fee	Fee Description	Fee Paid
201	370	Utility filing fee	[ ]
206	165	Design Filing Fee	[ ]
207	255	Plant Filing Fee	[ ]
208	370	Reissue Filing Fee	[ ]
214	80	Provisional Filing Fee	[ ]

**SUBTOTAL** \$

**2. CLAIMS**

Total Claims	Independent Claims	Extra Claims	Fee \$	Fee Paid
[ ] - 20** = [ ]	x		\$9 = [ ]	
Claims	[ ] - 3** = [ ]	x	42 = [ ]	
Multiple Dependent Claims	[ ]	+ [ ]	140 = [ ]	

\*\*or number previously paid, if greater;

**SUBTOTAL** \$

**FEES CALCULATION (continued)**

**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
205	65	Surcharge - late filing fee or oath	[ ]
227	25	Surcharge - late provisional filing fee or cover sheet	[ ]
139	130	Non-English specification	[ ]
147	2,520	For filing a request for reexamination	[ ]
112	920	Requesting publication of SIR prior to Examiner action	[ ]
113	1,840*	Requesting publication of SIR after Examiner action	[ ]
215	55	Extension for reply within first month	[ ]
216	200	Extension for reply within second month	[ ]
217	460	Extension for reply within third month	[ ]
218	720	Extension for reply within fourth month	[ ]
228	980	Extension for reply within fifth month	[ ]
219	160	Notice of Appeal	[ ]
220	160	Filing a brief in support of an appeal	[ ]
221	150	Request for Oral Hearing	[ ]
138	1,510	Petition to institute a public use proceeding	[ ]
240	55	Petition to revive -unavoidable	[ ]
241	640	Petition to revive - unintentional	[ ]
242	640	Utility issue fee (or reissue)	[ ]
243	230	Design issue fee	[ ]
244	310	Plant issue fee	[ ]
122	130	Petitions to the Commissioner	[130.00]
123	50	Processing fee under 37 CFR 1.17(q)	[ ]
126	180	Submission of Information Disclosure Statement	[ ]
581	40	Recording each patent assignment per property (times number of properties)	[ ]
246	370	Filing a submission after final rejection (37 CFR .129(a))	[ ]
249	370	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
279	370	Request for Continued Examination (RCE)	[ ]
169	900	Request for expedited examination of a design application	[ ]
195	300	Publication fee for early, voluntary, or normal publication	[ ]
196	300	Publication fee for republication	[ ]
089	200	Filing an application for patent term adjustment	[ ]
090	400	Request for reinstatement of term reduced	[ ]
		Other fee (specify)	[ ]

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL**

\$130.00

SUBMITTED BY		Complete (if applicable)		
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957			
SIGNATURE		DATE	20 FEBRUARY 2002	DEPOSIT ACCT USER ID
				02-2135